

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NEW YORK STATE CORRECTIONAL,

Plaintiff,

v.

RICHARDO McCRAY,

Defendant.

Case No. 2:24-cv-01666-RFB-MDC

ORDER

Before the Court for consideration is the Report and Recommendation (“R&R”) of the Honorable Maximiliano D. Couvillier, United States Magistrate Judge, dated October 24, 2024 (ECF No. 3). For the reasons explained below, the Court adopts the R&R in full

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct “any review,” *de novo*¹ or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985).

No objections have been filed. The Court has reviewed the record in this case and concurs with the Magistrate Judge’s recommendations.

¹ *De novo* review simply means a review by one court using the lower court’s record but reviewing the evidence and the law without deference to the lower court’s findings and rulings. See Appeal, Black’s Law Dictionary (11th ed. 2019).

1 Therefore, for the foregoing reasons, **IT IS ORDERED** that the Report and
2 Recommendation of the Magistrate Judge (ECF No. 3) is **ADOPTED** in full. The Complaint (ECF
3 No. 1-1) is **DISMISSED** for improper venue and the *in forma pauperis* application is **DENIED**
4 as moot. The Clerk of Court is instructed to close the case.

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6 **DATED:** April 14, 2025.

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10 **RICHARD F. BOULWARE, II**
11 **UNITED STATES DISTRICT JUDGE**
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